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DIVISION OF
OIL, GAS AND MINING

November 6, 2001

Utah Coal Program
Division of Oil, Gas and Mining
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P.O. Box 145801
Salt Lake City, Utah 84114-5801

NOV Abatement
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Subject: **Abatement #3 for NOV 01-7-1-1, PacifiCorp, Des Bee Dove Mine, C015/017-AM01A, Emery County, Utah**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits the required abatement action for the Notice of Violation order received July 9, 2001. This order required Energy West to develop and submit for Division approval, a Soil Management Plan (SMP) for the entire Des Bee Dove Mine reclamation project. This plan was originally submitted on September 7, 2001. Energy West received deficiencies related to the original SMP on October 6, 2001.

The format of this document will be DOGM's findings in **bolded** text, followed by Energy West's responses in *italics*.

R645-301-120, The Division has not retained a record of the previous sampling information. Provide the referenced soil sampling information to the Division.

Response: Energy West has included a summary and laboratory data sheets for the previous surveys in the Phase 1 and 2 Reclamation Plans in R645-301-200 Soil Section Appendix A to the Division and will not duplicate the information in the SMP.

Phase 1 Reclamation Plan: Originally Submitted to the Division on March 29, 2001, revised on September 15, 2001.

Phase 2 Reclamation Plan: Submitted to the Division on October 15, 2001.

Huntington Office:

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Deer Creek Mine:

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Response: Energy West modify the SMP to include three (3) additional soil trenches, refer to SMP text and Map 2-15. In addition, the SMP has been revised to include the list of analysis outlined in the October 3, 2001 TA.

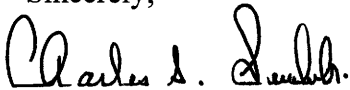
R645-301-240, What is the acreage of the entire disturbed area? What is the acreage of Phase I and Phase II? What is the acreage and fill yardage required for the bathhouse, the Deseret pad, the Deseret pad outslope and the miscellaneous unnamed areas to be graded during final reclamation. How many yards of suitable topsoil replacement will be needed? How many acres will require substitute topsoil if soil placement is limited to slopes less than 2H/1V and only in pockets on slopes greater than 2H/1V?

Response: The SMP has been revised to include soil distribution acreage estimate.

Upon Division approval of the attached plan, Energy West will commence the soil characterization process and will include all the information submitted into Section R645-301-200 of both the Phase 1 and Phase 2 reclamation plans.

If you have any questions or concerns regarding this document, please contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,



Charles A. Semborski
Permitting/Geology Supervisor

Enclosure: Soil Management Plan for Phase 1 and Phase 2 Reclamation Plans (2 copies)

Cc: Scott Child (Interwest Mining Company w/o encl.)
Carl Pollastro (Energy West Mining Company w/o encl.)
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R645-301-130, The Permittee must commit to the following: 1) Include original Laboratory sheets with the results from the sampling. 2) Record all field information on the NRCS 232 form 3) Employ a qualified soil scientist to direct the field work and evaluate the analytical results of the soil sampling, since judgement is required in taking the soil samples, creating composites from samples taken, and since evaluating the results requires considerable knowledge of soil chemical and physical properties.

Response: The revised SMP includes the following commitments:

Reporting of Technical Data

- *Original Laboratory sheets with the results from the sampling will be submitted to the Division upon completion of the trenching project.*
- *Record all field information on the NRCS 232 form.*
- *Energy West will utilize qualified personnel to direct the field work, for collection of representative soil samples, and evaluation analytical results.*
- *Energy West will summarize sample results and revise the soil management plan base upon the results of the soil sampling.*

R645-301-223, Provide a summary of the information known about the properties of the spoil and coal waste found within the disturbed area and include laboratory data analysis sheets for the sample sites shown on Plate 2-15.

Response: Energy West has included a summary and laboratory data sheets for the previous surveys in the Phase 1 and 2 Reclamation Plans in R645-301-200 Soil Section Appendix A to the Division and will not duplicate the information in the SMP.

R645-301-233, Sampling: The Division requests that there is some representation of the soils existing on the outslope of the Little Dove Beehive access road before the 180° turn and the Deseret pad outslope (including the potential substitute topsoil pile). Further, the Division would like to see a second trench running north/south through the Little Dove Beehive pad. In total, the Division requests three more trenches (six more soil samples). The Division asserts that composite sampling would negate the main purpose of this project, which is to identify the best quality substitute topsoil for reclamation of the site. Samples should only be composited within a trench. The sampling plan should indicate that field notes are taken on the NRCS 232 form to record percent rock fragments and Munsell color and moisture content along with sample location. Analysis: The sample analysis should follow the recommended list of analyses outlined in the tables of this technical memo.